



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes

Landlord: OPR, MNR, MNSD, MNDC, FF
Tenant: CNR, FF

Introduction

This hearing dealt with the cross Applications for Dispute Resolution with the landlord seeking an order of possession and a monetary order. The tenant sought to cancel a notice to end tenancy.

The hearing was conducted via teleconference and was attended by the landlord and the tenant.

The parties both confirmed the tenant vacated the rental unit on or about May 27, 2013. As such, there is no longer a need to consider possession of the rental unit on the landlord's Application and as such I amend his Application to exclude the matter of possession.

As the tenant vacate the rental unit there is also no reason to consider her Application seeking to cancel the Notice to End Tenancy. I dismiss the tenant's Application in its entirety.

Issue(s) to be Decided

The issues to be decided are whether the landlord is to a monetary order for unpaid rent; for all or part of the security deposit and to recover the filing fee from the tenant for the cost of the Application for Dispute Resolution, pursuant to Sections 38, 67, and 72 of the *Residential Tenancy Act (Act)*.

Background and Evidence

The tenancy began on April 15, 2013 as a month to month tenancy for the monthly rent of \$1,150.00 due on the 1st of each month with a security deposit of \$575.00 paid.

The parties agree the tenant has failed to pay rent for the month of May 2013.

Analysis

Based on the testimony of both parties I accept the tenant failed to pay rent in the amount of \$1,150.00 for the month of May 2013.

Conclusion

I find the landlord is entitled to monetary compensation pursuant to Section 67 in the amount of **\$1,200.00** comprised of \$1,150.00 rent owed and the \$50.00 fee paid by the landlord for this application.

I order the landlord may deduct the security deposit and interest held in the amount of \$575.00 in partial satisfaction of this claim. I grant a monetary order in the amount of **\$625.00**.

This order must be served on the tenant. If the tenant fails to comply with this order the landlord may file the order in the Provincial Court (Small Claims) and be enforced as an order of that Court.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: June 03, 2013

Residential Tenancy Branch

